

**REMARKS**

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-34 are pending in the present application. Claims 1, 9, and 26 are the independent claims.

Claims 1, 9, 10, and 26 have been amended. No new matter is believed to have been added.

Initially, Applicants acknowledge with appreciation the indication that claims 2, 6, 7, 12, 13, 16-18, 23, and 27-29 recite patentable subject matter and would be allowed if placed in independent form. Applicants have respectfully maintained claims 2, 6, 7, 12, 13, 16-18, 23, and 27-29 in dependent form because it is believed that their respective base claims, as amended, are allowable over the citations of record.

Claims 1, 9, 11, 14, 15, 20, 22, 24-26, 29, 30, 32, 33 and 34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,574,182 (Yamada et al.). Claims 1, 3-5, 8-11, 14, 15, 19-22, 24-26, 29, 30 and 32-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,084,842 (Abe et al.). All rejections are respectfully traversed.

Independent claim 1 recites, inter alia, a hologram light coupler disposed between a light device module and an optical path changing unit.

Independent claim 9 recites, inter alia, a light coupler disposed between light device module and optical path changing unit.

Independent claim 26 recites, inter alia, diffracting a first light beam ... selectively directing a one non-zeroth order light reflected from a first recording medium along a reflected optical path different from an emitted optical path and that the selective directing is performed downstream of the diffracting.

However, Applicants respectfully submit that neither Yamada et al. nor Abe et al. teach at least the aforementioned features of independent claims 1, 9, and 26.

Yamada et al. relates to an optical pickup compatible with a plurality of types of optical disks having different thicknesses and teaches an optical pickup that includes a laser light

source 1, a beam splitter 3, a rising mirror 5, an optical device 6, an objective lens 7 and photodetector 9. The Office Action takes the position that either the beam splitter or the rising mirror correspond to the optical path changing unit of independent claim 1 (features of independent claims 9 and 26 were not addressed). (Office Action, page 2). Applicants respectfully disagree.

The Office Action describes the rising mirror and the optical path changer as altering the common path of the reflected light. (Office Action, page 2). However, respectfully, this is not what is claimed. Indeed, the optical path changing unit of claim 1, for example, “selectively alter[s] an incident first and second light reflected from the respective first and second recording media to follow a reflected optical path different from the common optical path.” The Yamada et al. rising mirror does not alter the path of any light to follow an optical path different from a common path. Thus, the Yamada et al. rising mirror cannot correspond to the optical path changing unit of independent claim 1.

Assuming arguendo that the beam splitter of Yamada et al. corresponds to the optical path changing unit of independent claim 1, the Yamada et al. holographic light coupler is downstream of the beam splitter between the beam splitter and the objective lens. Thus, Yamada et al. does not meet at least the aforementioned feature of independent claim 1.

Regarding independent claims 9 and 26, it is respectfully submitted that for at least a reason similar to that regarding independent claim 1, Yamada et al. does not meet the aforementioned features of independent claims 9 and 26.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 9, and 26 under 35 U.S.C. § 102 as being anticipated by Yamada et al. are respectfully requested.

Abe et al. relates to an optical recording and reproducing apparatus and teaches a recording and reproducing apparatus that includes laser chips 21A and 21B, a beam splitter 23, a holographic optical element 25 and an objective lens 26. Abe et al. teaches that holographic optical element is disposed between the beam splitter and the objective lens. Thus, Abe et al. does not meet at least the aforementioned feature of independent claim 1 (features of independent claims 9 and 26 were not addressed).

Regarding independent claims 9 and 26, it is respectfully submitted that for at least a reason similar to that regarding independent claim 1, Abe et al. does not meet the

aforementioned features of independent claims 9 and 26.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 9, and 26 under 35 U.S.C. § 102 as being anticipated by Abe et al. are respectfully requested.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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